

REMARKS

Attached hereto are Certified English Translations of our priority documents, Japanese Patent Application 2002-293857, with a filing date of October 7, 2002, and Japanese Patent Publication 2002-296226 with a filing date of October 9, 2002.

It is respectfully submitted with the submission of the Verified English Translations that the alleged prior art of the co-pending Application Serial No. 11/802,862 and our respective commonly owned U.S. Patent Nos. 7,161,298; 7,176,627; 7,183,705; 7,192,325; 7,204,939; and 7,223,987 are not appropriate prior art.

Additionally, the PCT Publication WO 03/025090, which is the equivalent, as noted in the Office Action, of U.S. Patent No. 7,204,939 is also not equivalent prior art.

The publication of Japanese PCT-JPO2-09263 on July 3, 2003 and PC Publication No. WO 03/025090 was published in the Japanese language. Pursuant to MPEP §706.02(f)(1) Example 5, it is believed that the publication WO 03/025090 does not have an earlier publication date pursuant to 35 U.S.C. §102(e) and with the submission of our Verified Translations, it is not believed that any of the cited references relied upon in the rejection are available as prior art.

The present invention teaches a unique improvement in suppressing the time lapse changes in luminescent characteristics of an illuminating element such as an oxide phosphor particle forming a phosphor layer in a plasma display panel wherein surface regions of the particles are modified to include more of a halogen than any elemental compositions of the internal region of the particles.

Additionally, as can be seen in amended Claims 31 and 39, along with the newly drafted Claim 40, we have removed the terminology "chalcogens" which is the name for the Periodic Table Group 16, sometimes referred to as the oxygen family.

The *Sugimoto et al.* (U.S. Patent No. 7,204,939) is an English translation of PCT Publication WO 03025090. This reference was concerned with the size of phosphor particles and particularly smaller diameter particles with an increased surface area that enables defects, for example by water absorption during the manufacturing process. This is found to be a particular problem with blue phosphor. In the teaching for formulating the blue phosphor paste disclosed in Column 10, Lines 33-56, the particles were fired in either an oxygen or oxygen-nitrogen mixture, thereby attaching an oxide to the surface of the phosphor particle, for example through the addition of aluminum, silicon, lanthanum or a fluoride. As can be appreciated, there is no teaching in this disclosure of halogen.

Thus, it is respectfully submitted that even if a further search is conducted to find a teaching of chalcogen, the present claims more than adequately distinguish over this feature.

The Office Action further raised an issue with regards to treated particles being disproportionally distributed on the surface region, including the vicinity thereof. It is believed that the redrafted Claim 35 presented now as Claim 40 more than adequately resolves this issue.


Our specification discloses on Page 7 a definition of bonding halogen to the surface region, including a vicinity that is defined at or near a surface. As set forth on Page 11, there is disproportional distribution and we provide a capacity of suppressing time lapse degradation of the luminescent characteristics based on the differences from the surface region to the internal region. Additionally, since only the surface region is processed, this will shorten the time and costs in production.

The Office Action further raised an issue with regards to Claim 39 as being indefinite under 35 U.S.C. §112. It is believed that with the amendment of Claim 39 this issue is now moot and that this case is in condition for allowance.

If the Examiner believes a telephone interview will assist in the prosecution of this matter, the undersigned attorney can be contacted at the listed phone number.

Very truly yours,

SNELL & WILMER L.L.P.



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